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E.O. 12958: N/A
TAGS: [KLIG](#) [KJUS](#) [MARR](#) [MOPS](#) [GM](#)
SUBJECT: GERMAN PROSECUTOR REQUESTS ASSISTANCE IN KURNAZ
CASE

REF: A. 06 BERLIN 3555

1B. 1/8/07 NEUMANN-EUR/AGS EMAIL

11. (U) This Cable contains an Action Request. Please see
para 4.

12. (SBU) The State Prosecutor's Office in Tuebingen has
contacted the Staff Judge Advocate, Stuttgart Law Center,
asking for further information in connection with events
Murat Kurnaz -- a Turkish citizen resident in Germany --
alleges to have happened to him in a U.S.-run prison facility
in Kandahar. Kurnaz was detained in Guantanamo beginning in
2002 and returned to Germany in 2006. The request follows
the earlier (ref A) request for videos of his alleged
questioning by German officials, sent from the Bundestag's
Investigating Committee to the Ambassador. The Tuebingen
State Prosecutor announced January 8 that he will open
preliminary proceedings against two German Special Forces
soldiers (ref B). The two soldiers are alleged to have used
inappropriate force on Kurnaz during his reported detention
in the Kandahar facility in January 2002.

13. (SBU) Kurnaz made his allegation against two soldiers
assigned to the KSK (Kommando Spezialkraefte - German Special
Forces), a unit stationed in Calw (within the jurisdiction of
the State Prosecutor in Tuebingen). Dr. Michael Pfohl is the
Chief Public Prosecutor in the office of the State Prosecutor
in Tuebingen, and is in charge of investigating the
allegations of abuse by German soldiers. Pfohl requests
information from the USG in connection with the case. He
also said the case will be subject to the statute of
limitations soon and therefore he requests an answer as soon
as possible. Pfohl told the Office of the Staff Judge
Advocate, Stuttgart Law Center, 21st Theater Support Command
he is preparing an official request to U.S. authorities and
requested guidance concerning to whom to address his request.
He said his questions are:

- Is it possible for trucks or smaller vans to drive into the
compound/prison/camp?
- If yes, is it true that the vehicles would enter the

compound on a regular basis to clean toilets and other excrement containers?

- Is it possible to name an individual within the administration or command of the Kandahar prison camp who would be able to testify to the above subject?

- Is it possible to name any individuals who accompanied the German soldiers on their tour of the Kandahar Camp?

¶4. (SBU) Post requests guidance in how to respond to the Prosecutor's questions.

¶5. (U) This Cable was coordinated with USAREUR.
TIMKEN JR